

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PLANET AID, INC., et al.,

Plaintiffs,

v.

REVEAL, CENTER FOR
INVESTIGATIVE REPORTING, et al.,

Defendants.

Case No. [17-cv-03695-MMC](#)

ORDER DENYING LETTER REQUEST

Re: Dkt. No. 132

The Court is in receipt of a letter, dated July 5, 2018, by which plaintiffs purport to describe the Court's remarks made during a telephonic conference conducted on June 5, 2018, concerning the parties' then existing dispute regarding the propriety of a stay of discovery pending a settlement conference scheduled to be conducted later that month and resolution of an anti-SLAPP motion defendants were intending to file in the event the case did not settle.

At the above-referenced telephonic conference, the Court denied defendants' request for a stay, both because, as a practical matter, an order precluding all discovery was not conducive to meaningful settlement discussions, and, as the Court explained, because the request was premature, any determination thereof being dependent on the nature of the anticipated anti-SLAPP motion, in particular, whether it was based solely on the face of the complaint. See Planned Parenthood Fed'n of Am., Inc. v. Ctr. for Med. Progress, 890 F.3d 828, 834 (9th Cir. 2018) (distinguishing, for purposes of discovery, anti-SLAPP motions based on "insufficiency of pleadings" from those based on "challenges [to] the factual sufficiency of a claim").

Thereafter, the case did not settle, and, on July 2, 2018, defendants filed their anti-

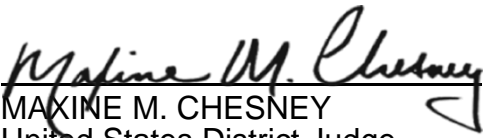
1 SLAPP motion. Plaintiffs now seek an order referring to a magistrate judge the question
2 of whether discovery should be stayed.

3 Contrary to what the parties anticipated at the time of the telephonic conference,
4 however, defendants have not filed, concurrently with their anti-SLAPP motion, a motion
5 to stay discovery, and, consequently, no discovery dispute is pending before the Court.

6 Accordingly, plaintiffs' unilateral letter request for a referral to a magistrate judge is
7 hereby DENIED.¹

8 **IT IS SO ORDERED.**

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10 Dated: July 10, 2018


MAXINE M. CHESNEY
United States District Judge

United States District Court
Northern District of California

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¹ Plaintiffs are hereby advised that any future request submitted to the
28 undersigned must be made by motion, not in the form of a letter.